0/0

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA IN AND FOR THE COUNTY OF YAVAPAI

DIVISION: 6

JEANNE HICKS, CLERK

by HON. WARREN R. DARROW

By: Rachel Roehe, Deputy Clerk

CASE NO. P1300CR20081339

DATE: July 23, 2010

FILED

DATE: July 23, 2010
4:34 O'Clock P.M.
JEANNE HICKS, CLERK
BY: Rachel Roehe

Deputy

TITLE:

COUNSEL:

STATE OF ARIZONA

(Plaintiff)

Yavapai County Attorney (e)

(For Plaintiff)

vs.

STEVEN CARROLL DEMOCKER

(D-1)

John Sears (e)

Larry Hammond & Anne Chapman (e)

OSBORN MALEDON, P.A.

(For Defendant)

HEARING ON:

NATURE OF PROCEEDINGS

COURT REPORTER

Mina Hunt & Roxanne Tarn

Jury Trial – Day 28

APPEARANCES:

START TIME: <u>9:07 a.m.</u>

Joseph Butner, Deputy County Attorney

Jeff Paupore, Deputy County Attorney

Steven DeMocker, Defendant John Sears, Counsel for Defendant Larry Hammond, Counsel for Defendant Anne Chapman, Counsel for Defendant

Court convenes with the presence of the Defendant, all Defense Counsel and both Deputy County Attorneys. The Jury is not present.

Discussion takes place with regard to Jury questions and scheduling issues.

~*~*~*~*~*~ Recess – 9:15 a.m. ~*~*~*~*~

At 9:16 a.m., Court reconvenes with the presence of the Defendant, all Defense Counsel, both Deputy County Attorneys and the Jury.

The Court addresses the Jury.

Luis Huante, having been previously sworn, resumes the witness stand and testifies further.

Court and Counsel hold a discussion at sidebar, off the record, to discuss questions from the Jury.

The witness is reminded of the rule excluding witnesses and is excused, but remains subject to recall.

Marjorie Powell is sworn and testifies.

Court and Counsel hold a discussion at sidebar, off the record, to discuss a question from the Jury.

The witness testifies further.

The witness is reminded of the rule excluding witnesses and is excused.

At 10:52 a.m., Court reconvenes with the presence of the Defendant, all Defense Counsel, both Deputy County Attorneys and the Jury.

Lila Farr is sworn and testifies.

The witness is reminded of the rule excluding witnesses and is excused.

The Jury is reminded of the admonition.

At 1:04 p.m., Court reconvenes with the presence of the Defendant, all Defense Counsel and both Deputy County Attorneys. The Jury is not present.

Discussion takes place with regard to testimony of upcoming witnesses.

Discussion takes place with regard to a question from the Jury.

At 1:45 p.m., Court reconvenes in chambers with the presence of all Defense Counsel and both Deputy County Attorneys. The Jury is not present. The Defendant's presence is waived.

Discussion takes place with regard to the testimony of upcoming witnesses.

The Court indicates that it stands by the previous ruling with regard to Theresa Kennedy's testimony.

At 2:15 p.m., Court reconvenes with the presence of the Defendant, all Defense Counsel, both Deputy County Attorneys and the Jury.

The Court addresses the Jury.

Theresa Kennedy is sworn and testifies.

Exhibit 2653 is admitted into evidence over objection by Defense Counsel.

Exhibit 2515 is admitted into evidence without objection.

Exhibit 2516 is admitted into evidence over objection by Defense Counsel.

Exhibit 2517 is admitted into evidence without objection.

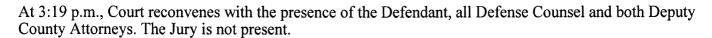
Exhibit 2518 is admitted into evidence over objection by Defense Counsel.

Exhibit 2647 is admitted into evidence over objection by Defense Counsel.

Exhibit 2519 is admitted into evidence without objection.

The Jury is reminded of the admonition.

P1300CR20081339 July 23, 2010 Page 3



Discussion takes place with regard to the testimony of the current witness.

At 3:46 p.m., Court reconvenes with the presence of the Defendant, all Defense Counsel, both Deputy County Attorneys and the Jury.

Theresa Kennedy resumes the witness stand and testifies further.

Court and Counsel hold a discussion at sidebar, on the record.

The witness testifies further.

Exhibit 2520 is offered. Defense Counsel objects. The objection is overruled and Exhibit 2520 is admitted into evidence with regard to the testimony regarding track one.

Exhibit 2522 is offered. Defense Counsel objects. The exhibit is not admitted at this time and Counsel request to discuss the matter further.

The Jury is reminded of the admonition and informed that the trial will resume at 9:00 a.m. on Tuesday.

At 4:18 p.m., Court reconvenes with the presence of the Defendant, all Defense Counsel, both Deputy County Attorneys and the witness, Theresa Kennedy. The Jury is not present.

Discussion takes place with regard to Theresa Kennedy's testimony and Exhibit 2522.

At 4:32 p.m., the witness is reminded of the admonition and is excused.

Discussion takes place with regard to previous rulings in this matter.

END TIME: <u>4:34 p.m.</u>

cc: VS (e

Dean Trebesch (Contract Administrator) (PD) (e)

Division 6 YCSO (e)

John Napper, Counsel for Renee Girard (e)

Christopher DuPont, Trautman DuPont PLC (e),

Counsel for Victims Charlotte and Katherine DeMocker